

# # 5

DEPARTMENT OF PLANNING  
STAFF REPORT

## BOARD OF SUPERVISORS PUBLIC HEARING

**DATE OF HEARING: October 12, 2010**  
**SPEX 2010-0010 – BROAD RUN CONTRACTING**  
**DULLES TRADE CENTER WEST LOT 12**  
**DECISION DEADLINE: October 12, 2010**  
**PROJECT PLANNER: Marchant Schneider DIRECTOR: Julie Pastor**  
**ELECTION DISTRICT: Dulles**

### EXECUTIVE SUMMARY

Broad Run Contracting of Ashburn, Virginia, has submitted a special exception application to permit storage of empty solid waste vehicles and containers in the PD-GI (Planned Development – General Industry) zoning district. The proposed use will support a by-right contractor service establishment providing fleet maintenance and administrative offices for Broad Run Contracting, a professional refuse management and disposal service. Broad Run Contracting will be relocating to the site from 1000 Ruritan Circle in Sterling. A similar proposal within the Dulles Trade Center West development was approved in July 2009 (SPEX 2008-0059, Dulles Trade Center West, Lot 6).

The subject property is approximately 5.5 acres in size and is located on the north side of Trade West Drive and north of Evergreen Mills Road within the Dulles Trade Center West development. (See *Vicinity Map*, page 3). The area is governed by the policies of the Revised General Plan (Suburban Policy Area, Dulles Community) which designate this area for Industrial uses. The application is subject to the Revised 1993 Zoning Ordinance.

### RECOMMENDATIONS

#### Planning Commission

At its hearing on September 15, 2010, the Planning Commission voted 8-0-1 (Keirce absent) to recommend approval of the Special Exception application with Conditions as outlined in the Staff Report.

Staff Recommendation

Staff recommends approval of the application. Industrial uses, such as the storage of empty solid waste vehicles and containers, are identified as appropriate land uses within the policy area (Suburban Policy Area). The recommended Conditions of Approval will mitigate the impact of the project on the County's Green Infrastructure and adjacent land uses.

**SUGGESTED MOTIONS**

1. I move that the Board of Supervisors forward SPEX 2010-0010, Broad Run Contracting – Dulles Trade Center West Lot 12, to the November 3, 2010 Business Meeting for action.

**OR,**

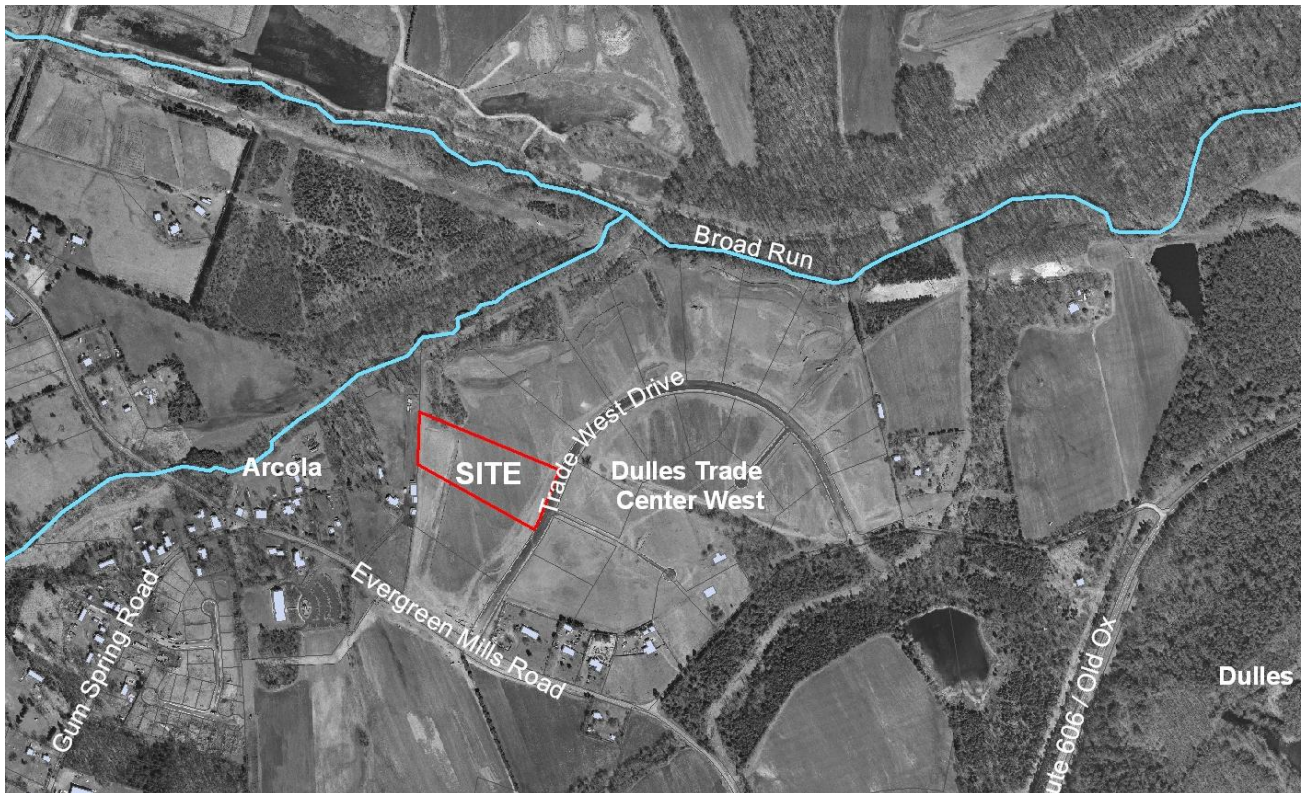
- 2a. I move to suspend the rules;  
*and*

- 2b. I move that the Board of Supervisors approve SPEX 2010-0010, Broad Run Contracting – Dulles Trade Center West Lot 12, subject to the Conditions of Approval dated September 16, 2010, and with the Findings contained in the October 12, 2010 Staff Report.

**OR,**

3. I move an alternate motion.

## VICINITY MAP



### Directions:

From Leesburg, take Route 15 south to Evergreen Mills Road (Route 621) to Arcola. Follow Evergreen Mills Road approximately 1/2 mile and turn left onto Trade West Drive. The property is located approximately 1/4 mile from the intersection on the north side of Trade West Drive (Lot 12).

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## I. APPLICATION INFORMATION

**APPLICANT** Broad Run Contracting  
Blair Hansen  
PO Box 1550  
Ashburn VA 20146  
703-433-2000

**REPRESENTATIVE** Duane Thomas, Project Engineer  
Dewberry and Davis, LLC  
1503 Edwards Ferry Road, Suite 200  
Leesburg VA 20176  
703.771.8004

**APPLICANT'S REQUEST** **Special Exception** to permit storage of empty solid waste vehicles and containers. The application was accepted on May 10, 2010.

**LOCATION** North side of Trade West Drive, South of Broad Run, approximately 1/4 mile north of the intersection of Evergreen Mills Road (Route 621) and Arcola Road (Route 842)

**TAX MAP/PARCEL #** Tax Map /107///7/////12/ PIN 162-47-0244

**ZONING** PD-GI (Revised 1993 Zoning Ordinance)

**ACREAGE OF SITE** 5.5

**SURROUNDING ZONING/ LAND USES**

	<b>ZONING</b>	<b>PRESENT LAND USES</b>
<b>NORTH</b>	PD-GI	Vacant
<b>SOUTH</b>	PD-GI	Vacant
<b>EAST</b>	PD-GI	Vacant
<b>WEST</b>	PD-GI	Vacant

## II. REFERRAL AGENCY COMMENT SUMMARY

TOPIC / ISSUE AREA	ISSUES EXAMINED AND STATUS
Comprehensive Plan	<ul style="list-style-type: none"> <li>○ Consistency with land use policies of the <u>Revised General Plan</u> (RGP) (Suburban Policy Area, Dulles Community) and the <u>Dulles North Area Management Plan</u> (DNAMP). Status: No Issue. Empty solid waste vehicle and container storage consistent with Industrial land use designation.</li> <li>○ Develop spill mitigation plan that includes information on secondary containment, treatment, and emergency response plan for storage and dispensing of diesel fuel on subject site. Status: Resolved. Per zoning determination, separate special exception application not necessary. Fuel storage will serve fleet operations. Facilities Standards Manual (FSM) design standards applicable at site plan.</li> <li>○ Describe wash-down procedures for solid waste vehicles and roll off containers. Status: Condition of Approval recommended (Condition 3)</li> <li>○ Provide perimeter fencing/landscaping to screen proposed uses from adjacent properties. Landscaped area to be maintained for the life of the project. Status: Condition of Approval recommended (Condition 6)</li> <li>○ Reduce/mitigate light trespass of proposed uses. Status: Condition of Approval recommended (Condition 5)</li> </ul>
Environmental Review	<ul style="list-style-type: none"> <li>○ Storage of bulk gasoline, petroleum, and empty solid waste vehicles and containers identified as stormwater hotspots within FSM. Provide stormwater pollution prevention plan / management options. Status: Condition of Approval recommended (Condition 4).</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>○ Compliance with <u>Revised 1993 Zoning Ordinance</u> requirements. Status: Resolved through plat notations, application revisions, Conditions of Approval.</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>○ Consistency with the <u>Revised Countywide Transportation Plan</u>. Status: No issue. Traffic impact associated with proposed use negligible. Existing transportation facilities adequate to serve proposed use.</li> <li>○ Identify pedestrian facilities adjacent to Lot 12 along Trade West Drive. Status: Condition of Approval recommended (Condition 7).</li> </ul>
Department of Construction and Waste Management	<ul style="list-style-type: none"> <li>○ Proposed storage facility subject to Chapter 1084 of the Codified Ordinances of Loudoun County ("Solid Waste Collection and Transportation Ordinance"). Status: Resolved by plat revision.</li> <li>○ Collection vehicles and containers should not to be permitted on subject site prior to zoning permit approval for proposed use. Status: Condition of Approval recommended (Condition 2).</li> <li>○ Maintenance or washing materials to be prohibited within storage area. Identify where vehicles are to be cleaned and maintained. Status: Condition of Approval recommended (Conditions 2 and 3). Vehicle maintenance and washdown to be limited to within onsite by-right contractor service establishment.</li> </ul>

TOPIC / ISSUE AREA	ISSUES EXAMINED AND STATUS
Emergency Services	o Adequate Emergency Services available. Status: No issues.
County Attorney	o Development conditions review and approval to legal form. Status: Complete
Disclosure of Real Parties	o Received, dated September 9, 2010

### III. PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission held a public hearing for the above-mentioned applications on September 15, 2010. Staff addressed questions posed by Commissioners at the September 8 Planning Commission briefing to include clarifying comments regarding the boundary of the storage area (SPEX boundary relabeled on plat), expanded description of “empty” (additional language added to Condition 2), washdown areas for solid waste vehicles and containers (within by-right contractor service establishment or offsite), and in-kind replacement of dead or dying landscape plantings (to be determined by County Urban Forester at time of reported condition).

Following a brief discussion of the application, the Planning Commission voted 8-0-1 (Keirce absent) to recommend approval of the application, subject to Conditions of Approval dated September 7, 2010, to include those revisions recommended by Zoning Administration and the County Attorney’s Office, and based the Findings listed below.

#### FINDINGS

1. The proposed special exception is consistent with the existing land use policies of the Revised General Plan (RGP). Industrial uses, such as the storage of empty solid waste vehicles and containers, are identified as appropriate land uses within the policy area (Suburban Policy Area). The recommended Conditions of Approval will mitigate the impact of the project on the County’s Green Infrastructure and adjacent land uses.
2. The special exception application complies with the policies of the Revised Countywide Transportation Plan.
3. The proposed special exception for storage of empty solid waste vehicles and containers is in accordance with the Revised 1993 Zoning Ordinance.
4. The special exception application proposes stormwater management measures to minimize impacts on state waters and wetlands.

#### IV. SPEX CONDITIONS OF APPROVAL (September 16, 2010)

Staff recommends the following Conditions of Approval in accordance with the applicable land use policies of the Revised General Plan. The language of the Conditions has been reviewed by Zoning Administration and the County Attorney's Office and agreed to by the Applicant.

1. **Substantial Conformance.** The development of the Special Exception use, storage of empty solid waste vehicles and containers in the PD-GI (Planned Development – General Industry) Zoning District, shall be in substantial conformance with Sheet 1 of 4, Sheet 3 of 4, and Sheet 4 of 4 (together comprising and herein referred to as the “Special Exception Plat”) of the plan set entitled “Broad Run Contracting, Dulles Trade Center West Lot 12, Special Exception Plat SPEX 2010-0010”, prepared by Dewberry and Davis, LLC, dated February 2010, revised through September 16, 2010, (the “Plans”) and the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”). Approval of this application for Tax Map #107///7////12/ (PIN #162-47-0244) (the “Property”) shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted and Use Restrictions.** This Special Exception grants approval for storage of empty solid waste vehicles and containers, as set forth in the Zoning Ordinance district regulations for the PD-GI Zoning District. The Special Exception is approved only for that area of the Property shown on Sheet 3 and Sheet 4 of the Special Exception Plat as lying within the hatched area labeled as “Limits of Special Exception” and also referred to as “Area of Special Exception” (the “Special Exception Area”). Storage of empty solid waste vehicles and containers shall not be permitted prior to first zoning permit approval for the Special Exception use. Maintenance of solid waste collection vehicles shall not be permitted within the Special Exception Area. Empty solid waste vehicles and containers shall be empty of debris prior to storage and shall be kept and maintained in a clean and sanitary condition so as not to provide areas for insect breeding, vectors, or sources of odor.
3. **Wash Down.** The Applicant shall empty, sweep and wash the solid waste vehicles and containers to neutralize odor. Sweeping and washing of the solid waste vehicles and containers shall not be permitted within the Special Exception Area.
4. **Low Impact Development (LID) Measures.** The Applicant shall provide a minimum of two (2) Low-Impact Development (LID) design measures such as bio-retention filters and a level spreader with plunge pool in the general locations shown as “Possible Location of BMP” on Sheet 4 of the Special Exception Plat. In designing such facilities, the Applicant shall consult with the Department of Building and Development to identify and implement LID measure(s) deemed likely to be effective based on the physical characteristics of the Property. The LID measure(s) shall be designed and implemented in accordance with applicable provisions of the Facilities Standards Manual (FSM).



5. **Lighting.** Site lighting shall conform to Section 5-1500 of the Revised 1993 Loudoun County Zoning Ordinance and Sections 7.110 and 7.120 of the FSM. The following standards shall also apply:
- a. **Light Fixtures.** Empty solid waste vehicle and containers storage area lighting fixtures shall be full cutoff and fully shielded and shall direct light downward and into the interior of the storage area and away from surrounding public roads and properties. Said lighting shall not exceed a maximum average illumination of two (2) foot-candles at ground level during non-business hours unless otherwise required by law, ordinance, or regulation.
  - b. **Height of Light Fixtures.** The mounting height of any light fixture shall not exceed 20 feet. Height shall be measured from the ground to the bottom of the light fixture.
  - c. A written summary or graphic representation of the Applicant's compliance with this Condition 5 shall be submitted prior to or in conjunction with first zoning permit approval for the Special Exception use.
6. **Landscaping Maintenance.** Landscaped areas shall be maintained in good condition and health by the Applicant or applicable property owners association for the duration of the Special Exception use. Dead or diseased materials shall be replaced as determined by the County Urban Forester.
7. **Trail Easement.** Prior to or in conjunction with site plan approval for the empty solid waste vehicle and container storage area, the Applicant shall dedicate a minimum seven foot (7') width public access easement for pedestrian trail improvements along the Property's frontage along Trade West Drive, at no cost to the County, such dedication to be accomplished by deed in form as approved by the County Attorney and recorded among the Land Records.

**NOTE:** *The Applicant has agreed to provide a one time Fire and Rescue contribution to the County in the amount of \$1,000 for equal distribution between the primary volunteer Fire and Rescue servicing companies. This contribution shall be made prior to or in conjunction with zoning permit approval for the empty solid waste vehicle and container storage area. Applicant has further agreed that the amount of such contribution shall escalate annually from the base year of 1988 and shall change effective each January 1<sup>st</sup> thereafter, based on the Consumer Price Index (CPI-U) for all urban consumers, 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.*

## **V. PROJECT REVIEW**

### **A. CONTEXT**

#### Proposed Development

As noted above, Broad Run Contracting (BRC) proposes to relocate to the site from 1000 Ruritan Circle in Sterling. The front portion of the subject site will be occupied by a by-right contractor service establishment which will provide fleet maintenance and administrative offices for BRC. The proposed special exception area will be located to the rear of the site and will include both paved and gravel parking areas totaling approximately 92,000 square feet (2.11 acres). The Applicant states the operating hours of the facility are 7:00 AM to 5:00 PM, with longer hours as necessary.

The applicant proposes a six foot (6') wood fence to encompass the storage area. The Dulles Trade Center West commercial property owners association will require buffer plantings between lots within the development equivalent to a Type 4 buffer described in the Zoning Ordinance. Additional screening required by the Zoning Ordinance will be determined during site plan review; however, the Applicant intends to use existing vegetation along the northwestern property boundary to meet the screening requirement.

#### Location

The approximately 5.5 acre parcel is located in the Dulles Community of the Suburban Policy Area on the north side of Trade West Drive, west of Arcola Road and north of Evergreen Mill Road, near the village of Arcola.

The subject site is located within the Dulles Trade Center West development (Lot 12), a by-right development that is comprised of approximately 90 acres divided into 29 building lots. Many of the lots within the development have already been purchased; however, to date no uses have been developed. Property west of the site is zoned RC (Rural Commercial); however, the site is currently used for residential use. A similar proposal within the same development was approved in July 2009 (SPEX 2008-0059, Dulles Trade Center West, Lot 6).

Dulles Trade Center West is generally bound by Broad Run to the north, South Fork Broad Run to the west, Arcola Road to the east, and Evergreen Mills Road to the south. The Village of Arcola is located west of the development. The Dulles International Airport is located to the southeast. (*See Vicinity Map, page 3*).

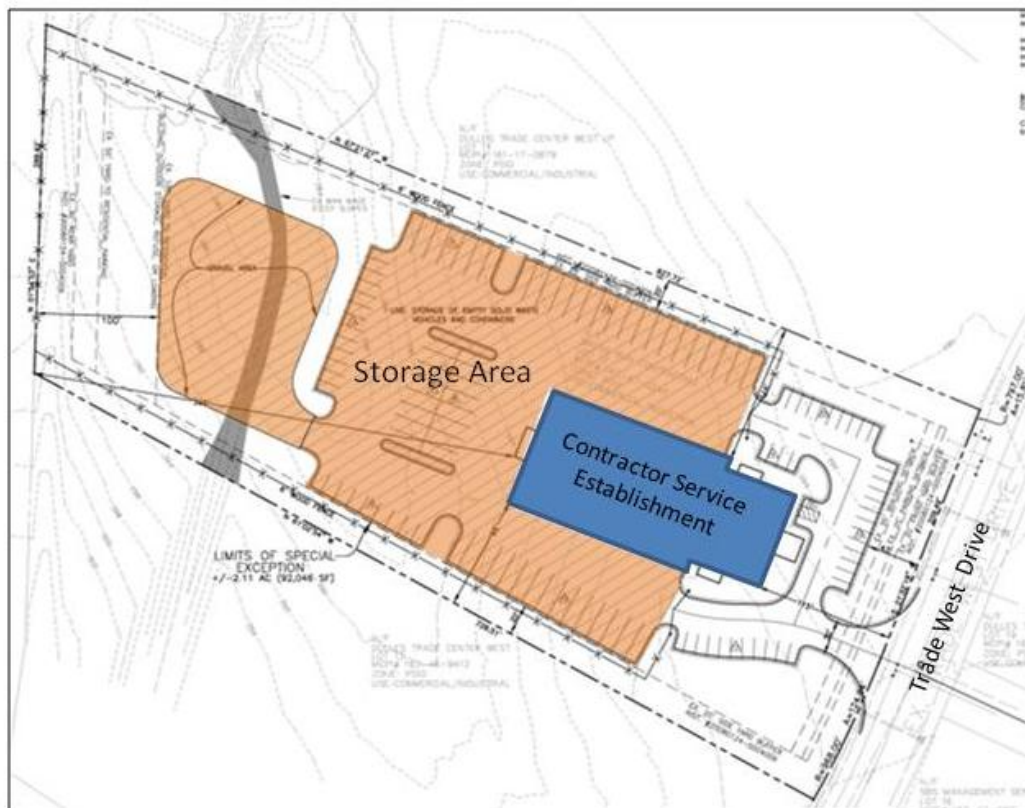


Figure 1. Site Layout

### Transportation

The subject parcel will be accessed via Trade West Drive. Trade West Drive connects to Evergreen Mills Road west of Arcola Road. At build-out, the project will generate approximately 160 daily trips. Peak hour trips generated by the proposed use will be less than the by-right trip generation potential for light industrial uses.

### Site Conditions

A small area of forest cover is present along the northwestern boundary of the site south of the South Fork of the Broad Run. The majority of the site has been extensively filled, graded and elevated with man-made steep slopes. No ground-disturbing activities are proposed on the site beyond those areas which had been previously graded. The property lies less than a mile from Dulles International Airport, within the LDN 65 airport noise contour.

## **B. SUMMARY OF OUTSTANDING ISSUES**

There are no outstanding issues identified by Staff. The County Attorney's Office has approved the Conditions as to legal form and the Applicant has agreed to the Conditions as written.

## **C. OVERALL ANALYSIS**

### **COMPREHENSIVE PLAN**

#### Land Use

The subject site is designated by the Revised General Plan (Suburban Policy Area - Dulles Community) for Industrial use. Activities associated with Industrial uses typically generate noise and emissions which are incompatible with noise-sensitive, non-industrial uses (i.e. schools, residential developments, recreation facilities, etc.) RGP policies state such uses best located away from major roads, accessed from within the industrial park, and limited to a minor portion of a larger development.

The use of the subject site for a by-right contractor service establishment and the proposed special exception use to store empty solid waste vehicles and roll-off containers at the rear of the subject site are in conformance with the RGP's vision for Industrial areas.

#### Site Design

The RGP states that a general industry use should "complement surrounding land uses by means of appropriate arrangement of buildings and service areas, attractive architecture, and effective landscape buffering" (Revised General Plan, Chapter 11, General Industry, Policy 8a). Further, buildings are to be the prominent feature of the site when viewed from the road, while outdoor storage and the majority of parking should be located toward the rear of a lot. As noted above, the layout of the proposed special exception use (to the rear of the service establishment that is located adjacent to Trade West Drive) is consistent with these policies. The Applicant's proposed landscape buffering is described below.

#### Stormwater Management

The RGP calls for implementation of Low Impact Development (LID) techniques which integrate hydrologically functional designs with existing methods for preventing water pollution. Best Management Practices (BMPs) in conjunction with innovative site designs incorporating LID measures can reduce sedimentation and erosion and maintain the overall water quality of the Broad Run, its South Fork and its associated tributaries.

Staff had previously recommended that a similar application within the Dulles Trade Center West development evaluate the use of bio-retention filter areas, landscaped drainage buffers and other LID techniques to dissipate, filter and treat surface water and stormwater runoff from the storage area. Staff suggested these facilities be located along the perimeter of the proposed parking lot or be incorporated within the landscaped buffers on the rear and sides of the property as part of a larger stormwater and water protection strategy for the site. In response, the Applicant has provided a stormwater management / BMP plan (see *Sheet 5 of the Plat*) identifying potential BMP facilities to include possible locations for a level spreader with plunge pool<sup>1</sup> to be used to treat and dissipate stormwater from the proposed storage facility prior to entering the South Fork of the Broad Run. The Applicant has agreed to a condition of approval committing to the techniques identified on the plat sheet.

### Water Conservation

RGP policies promote water conservation through the use of innovative, cost effective water reuse systems. The Applicant states vehicles and containers will be emptied and regularly washed prior to staging in the storage yard and will likely be washed within the by-right fleet maintenance facility also located on the property. Staff recommended that water used to clean the vehicles and containers be captured, cleaned and reused onsite to promote water conservation. In response, the Applicant states a specific washdown procedure has not been determined; however, such runoff will drain to a sanitary sewer and not a storm sewer.

### Screening and Buffering

The County requires that all industrial uses provide adequate buffers and protection to mitigate negative impacts associated with the effects of noise, vibration, odor or other emissions which can be associated with industrial uses. Specifically, the RGP calls for the use of landscape buffers to break up monotonous parking surfaces, structural walls, and storage areas in order to enhance the aesthetic quality of General Industrial developments.

The Applicant proposes to utilize existing vegetation and a six-foot (6') fence (wood) to screen adjacent land uses. Also, the property is subject to the Dulles Trade Center West commercial property owners association which, by covenant, requires buffer plantings between lots similar to the Type 4 buffer requirements of the Zoning Ordinance (i.e. a combination of understory and canopy trees, shrubs, and evergreen trees). The Zoning Ordinance does not otherwise require buffer yards between adjacent PD-GI properties; however, the Applicant has agreed to a condition of approval stating the landscaped areas will be maintained for the life of the special exception use.

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<sup>1</sup> A level spreader is used to disperse or "spread" stormwater flows thinly over a vegetated or forested riparian buffer or filter strip. Its purpose is to spread concentrated water over a wide enough area so that erosion of the vegetated buffer or filter strip does not result. The plunge pool serves to dissipate the velocity of entering stormwater.

Based on the above, staff has determined that adequate screening is provided to mitigate the visual impact of the proposed storage area.

### Lighting

Loudoun County policies stress the application of lighting standards which reduce unnecessary light pollution and energy waste while improving nighttime visibility and enhancing public safety. To achieve the land use goals of the RGP, Staff has included a condition of approval which will require the Applicant to install storage area lighting that is directed downward and shielded to reduce glare and light trespass. The applicant has agreed to conditions of approval committing to lighting standards to include full cut-off fixtures to reduce light trespass.

## **ENVIRONMENTAL REVIEW**

### Building Efficiency / LEED

RGP policies state the County will emphasize its role as a leader, facilitator, and source of information on environmental design options and procedures rather than a regulator when implementing its program for achieving and sustaining a built environment of high quality. The proposed storage area will incorporate existing vegetation and BMP/LID stormwater management techniques to treat stormwater runoff.

The County also supports energy efficiency in building construction and suggests land use proposals incorporate the Green Building Practices endorsed by the United States Green Building Council's Leadership and Energy and Environmental Design (LEED). As noted above, staff provided additional recommendations regarding the reclamation of water used to wash vehicles and containers should the adjacent by-right fleet maintenance facility be used to clean the vehicles and containers prior to staging within the storage area. In response, the Applicant has stated while they intend to wash vehicles within the onsite fleet maintenance facility, a specific washdown procedure has not been developed and they do not wish to commit to a water reuse program at this time.

## **ZONING**

The subject site is zoned PD-GI (Planned Development – General Industrial) and is subject to the Revised 1993 Zoning Ordinance. The proposed storage of empty solid waste vehicles and containers is listed as a Special Exception use under Section 4-604(TT). The property is also located within the AI (Airport Impact) Overlay District, within the Ldn 65 or higher aircraft noise contour.

Zoning staff reviewed the application and recommended a number of note, reference, and graphic changes to the Special Exception Plat necessary to meet Zoning Ordinance requirements. The Applicant has incorporated revisions as requested.

## **TRANSPORTATION**

Access is currently provided on Trade West Drive, a four-lane undivided roadway. Trade West Drive connects to Evergreen Mills Road (Route 621) west of Arcola Road (Route 842). Access to Arcola Road from Trade West Drive is restricted to emergency access only.

The proposed use is estimated to generate approximately 160 daily trips. This represents a reduction of 309 trips from the by-right (light industrial) traffic potential. The Applicant's traffic study and supplemental analyses demonstrate adequate Levels of Service (LOS) D or better for roadways anticipated to serve the use upon build-out (2010). The 2010 Countywide Transportation Plan (2010 CTP) specifies a LOS D or better as an acceptable level of service. Staff has determined traffic impact is negligible and will not require additional road improvements to support the use.

Also, consistent with the Dulles Trade Center West Lot 6 application (SPEX 2008-0059), the Applicant has agreed to a condition of approval to provide a public access easement in anticipation of a future pedestrian trail along Trade West Drive.

## **DEPARTMENT OF CONSTRUCTION AND WASTE MANAGEMENT (DCWM)**

Chapter 1084 of the Codified Ordinances of Loudoun County (the "Solid Waste Collection and Transportation Ordinance") regulates the collection of solid waste and recyclable material in Loudoun County as well as the storage of solid waste and recyclable material collection vehicles and containers. No collection company may conduct any portion of its business in Loudoun County without a valid permit. The occupant of the subject property must maintain a collector's permit by the Department of Construction and Waste Management, Division of Waste Management (DCWM) (issued annually) in order to lawfully store collection vehicles and containers on the property. A collector's permit identifies vehicle type, number of vehicles, collection area served, disposal areas, and equipment storage location.

OSWM staff recommended a notation on the Special Exception Plat stating that the proposed special exception use is regulated under Chapter 1084 of the Codified Ordinances of Loudoun County. To ensure compliance with Chapter 1084, OSWM Staff also recommended conditions of approval prohibiting the staging of collection vehicles and containers on-site prior to Zoning Permit approval as well as maintenance and washing of vehicles and equipment within the storage area. Lastly, the OSWM staff recommended the Applicant identify how and where vehicles and containers will be washed and maintained. In response, the Applicant has added the requested notations to Sheet 1 of the Plat and has agreed to the recommended conditions of approval. Maintenance and washing of vehicles is to be limited to the onsite by-right contractor service establishment.

## FIRE AND RESCUE

Fire and Rescue Staff has no objection to the approval of this application. The Arcola-Pleasant Valley Volunteer Fire Department (Station 9) is identified as the first responder to the subject property.

Per the adopted Board Fire and Rescue Policy, all Applicants are requested to provide a one-time contribution of \$0.10 per gross square foot to be distributed to the primary volunteer fire and rescue agencies, escalated annually from the base year when the policy was adopted (1988). Escalated to 2010 (\$0.18), the requested contribution, based on the dimensions of the storage yard (92,046 square feet), is approximately \$16,568.00. As there is no structure associated with this application to which a contribution would otherwise be calculated, the Applicant has agreed to a one-time contribution of \$1,000.00.

### D. ZONING ORDINANCE CRITERIA FOR APPROVAL

*Section 6-1310 of the Revised 1993 Loudoun County Zoning Ordinance states "In considering a special exception application, the following factors shall be given reasonable consideration. The Applicant shall address all the following in its statement of justification or special exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":*

Standard (A) *Whether the proposed special exception is consistent with the Comprehensive Plan.*

Analysis As outlined and discussed above in Section C, Overall Analysis, Revised General Plan (RGP) policies designate the subject site for Industrial uses. The use of the subject site for a by-right contractor service establishment and the proposed special exception use to store empty solid waste vehicles and roll-off containers at the rear of the site are in conformance with the RGP's vision for Industrial areas. Subject to development conditions regarding screening, reduction of light trespass, and stormwater management, the proposed special exception will be in accordance the RGP.

Standard (B) *Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

Analysis The proposed special exception use will provide effective measures of fire control that meet all state and local fire safety requirements and regulations.

Standard (C) *Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*



Analysis The proposed special exception use is not anticipated to generate noise which will negatively impact similarly planned properties in the immediate area (Industrial).

Standard (D) *Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

Analysis A condition of approval requires the applicant to install restrictive lighting fixtures to minimize glare and light trespass onto adjacent properties.

Standard (E) *Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

Analysis The RGP designates the Dulles Trade Center West development and surrounding area for Industrial use. The subject property and adjoining properties are similarly zoned PD-GI consistent with the planned land use designation.

Standard (F) *Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Analysis The vegetative buffer requirements of the commercial property's owners association applicable to the subject property will screen the proposed special exception use from surrounding uses. Opaque fencing (wood) around the proposed storage yard will provide additional screening of the proposed use.

Standard (G) *Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.*

Analysis No topographic or physical, natural, scenic, archeological, or historic feature of significant importance have been identified on the subject property as stated in the professional studies submitted by the Applicant.

Standard (H) *Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

Analysis A small area of existing vegetation is to be used to meet the screening requirements for the development. The remainder of the site has been extensively filled, graded and elevated with man-

made steep slopes. No ground-disturbing activities are proposed on the site beyond those areas which had been previously graded. The Applicant will retain existing natural features outside the limits of grading and clearing necessary to accommodate the storage area. No Endangered and Threatened Species (ETS), rare plant species, or rare plant communities were observed on the Property.

Public water and sanitary sewer will be provided to the site. Conditions of approval will require multiple commitments to groundwater quality.

It is not anticipated that the proposed special exception use will negatively affect natural features, wildlife habitat, vegetation or air quality. The application preserves appropriate environmental resources on the Property and the disturbance to wildlife habitat is acceptable.

Standard (I) *Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.*

Analysis Industrial uses and activities associated with industrial uses such as outdoor storage make them incompatible with residential development and similar noise-sensitive uses. RGP policies state such development is best located away from major roads, accessed from within the industrial park. The proposed special exception use is consistent with these policies, therefore promoting the welfare of the public.

Standard (J) *Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

Analysis As discussed above, OTS Staff has evaluated the traffic impacts identified in the applicant's traffic study. The applicant's traffic study demonstrates adequate Levels of Service (LOS) D or better for roadways anticipated to serve the proposed use. The Countywide Transportation Plan (CTP) specifies a LOS D or better as an acceptable level of service. The Applicant has also agreed to provide a public access easement in anticipation of a future pedestrian trail along Trade West Drive consistent with similar special exception uses within the development.

Standard (L) *Whether the proposed special exception will be served adequately by essential public facilities and services.*

Analysis As identified in the attached referral agency comments, the proposed special exception use will be adequately served by existing public facilities and services.

Standard (M) *The effect of the proposed special exception on groundwater supply.*

Analysis The proposed special exception use is not anticipated to have an adverse affect on the County's ground water supply. Public water and sanitary sewer service will be provided by Loudoun Water (formerly LCSA). Conditions of approval require stormwater management / Best Management Practices (BMPs).

Standard (N) *Whether the proposed use will affect the structural capacity of the soils.*

Analysis The proposed storage area is not anticipated to affect the structural capacity of the soils. Compliance with the requirements of the County's Facilities Standards Manual will ensure adequate structural capacity for the proposed use.

Standard (O) *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

Analysis See the staff analysis of Standard (J) above.

Standard (P) *Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

Analysis The proposed special exception use will facilitate desirable employment in support of the planned land use designation of the area (Industrial), thereby enlarging the County's tax base.

Standard (Q) *Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.*

Analysis The proposed special exception use is intended to meet the disposal needs of existing and future residents and businesses based on the County's land use plan and will not negatively impact existing and future agriculture, industry, and businesses.

Standard (R) *Whether adequate on and off-site infrastructure is available.*

Analysis Adequate on and off-site infrastructure will be provided prior to development of the proposed storage area.

Standard (S) *Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*

Analysis The proposed special exception use is not anticipated to generate odors which will negatively impact similarly planned properties in the immediate area (Industrial). Solid waste vehicles and storage containers will be emptied and cleaned prior to staging within the storage area.

Standard (T) *Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Analysis Existing and proposed road networks serving the proposed special exception use have adequate capacity divert construction traffic away from existing neighborhoods and school areas.

<b>VI. ATTACHMENTS</b> (UNLESS NOTED OTHERWISE, ATTACHMENTS ARE AVAILABLE ELECTRONICALLY AND MAY BE OBTAINED FROM THE DEPARTMENT OF PLANNING AND/OR LOUDOUN ONLINE LAND APPLICATIONS SYSTEM (LOLA))	<b>PAGE NUMBER</b>
<b>1. Review Agency Comments</b>	
a. Planning, Comprehensive Planning (07-02-10)	A-1
b. Planning, Community Information and Outreach (06-21-10)	A-7
c. Building and Development, Environmental Review Team (06-09-10)	A-9
d. Building and Development, Zoning (06-07-10)	A-11
e. Department of Construction and Waste Management (06-09-10)	A-15
f. Office of Transportation Services (07-02-10)	A-19
g. Virginia Department of Transportation (06-09-10)	A-27
h. Department of General Services (08-18-10)	A-29
i. Loudoun Water (LCSA) (07-17-10)	A-31
j. Health Department (05-18-10)	A-33
k. Fire, Rescue, and Emergency Services (06-07-10)	A-35
<b>2. Disclosure of Real Parties in Interest (09-09-10)</b>	A-37
<b>3. Applicant's Response to Referral Comments (06-30-10)</b>	A-49
<b>4. Applicant's Statement of Justification (02-25-10)</b>	A-53
<b>5. Plat / Exhibit (revised 09-16-10)</b>	Follows A-66